

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and**  
**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: P/N # 2005-1B-080

22 July 2005

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

**NEWBERRY COLLEGE**  
**211 COLLEGE STREET**  
**NEWBERRY, SOUTH CAROLINA 29108**

for a permit to place fill material in wetlands adjacent to an unnamed tributary of

**BUSH RIVER**

At a location south of Smith Road, near the Town of Newberry, in Newberry County, South Carolina (Latitude 34.2906501 N; Longitude 82.6182052 W).

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 22 AUGUST 2005**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the placement of fill material in 2.56 acres of wetlands to facilitate construction of a sports complex that will include a baseball field, softball field, a soccer field, and attendant features such as parking lots. Proposed compensatory mitigation includes restoration of 0.64 acres of impacted wetlands onsite by planting hydrophytic vegetation. An additional 2.0 acres of wetlands adjacent to an unnamed tributary of Mud Creek will also be restored. This area has been impacted by ditching activities and the removal of the natural vegetation. The ditches will be plugged and the area re-planted. An additional 3.3 acres of wetlands will be enhanced by the removal of a dense population of Ligustrum sinense (Chinese privet). A 25' upland buffer (1.2 acres) will be placed around the enhancement area. The purpose of the proposed project is to construct a sports complex for Newberry College.

22 July 2005

**NOTE:** Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact (2.56)acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.


The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from

22 July 2005

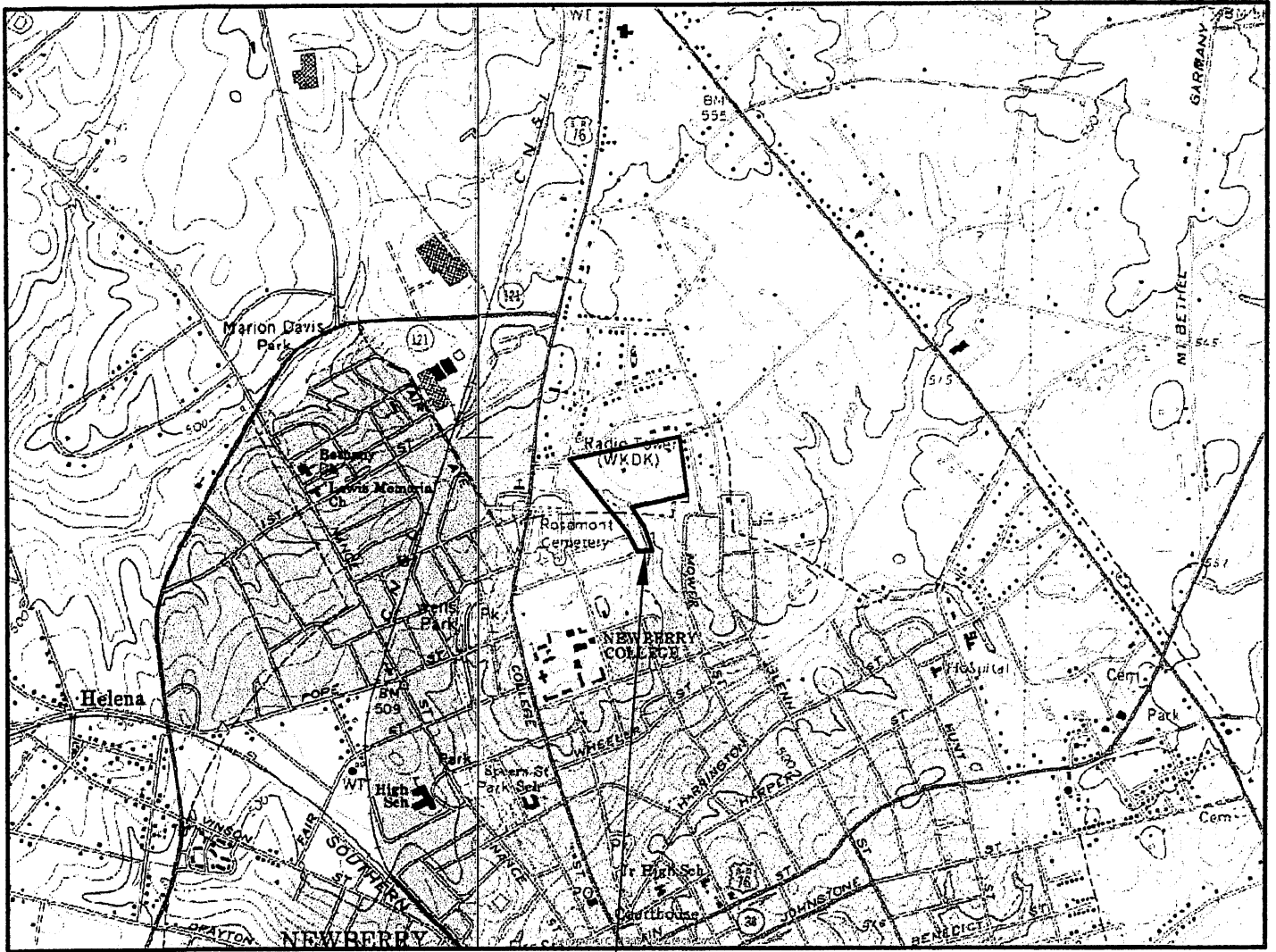
the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Charlie Crosby  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



SITE LOCATION

USGS Quad: Newberry East



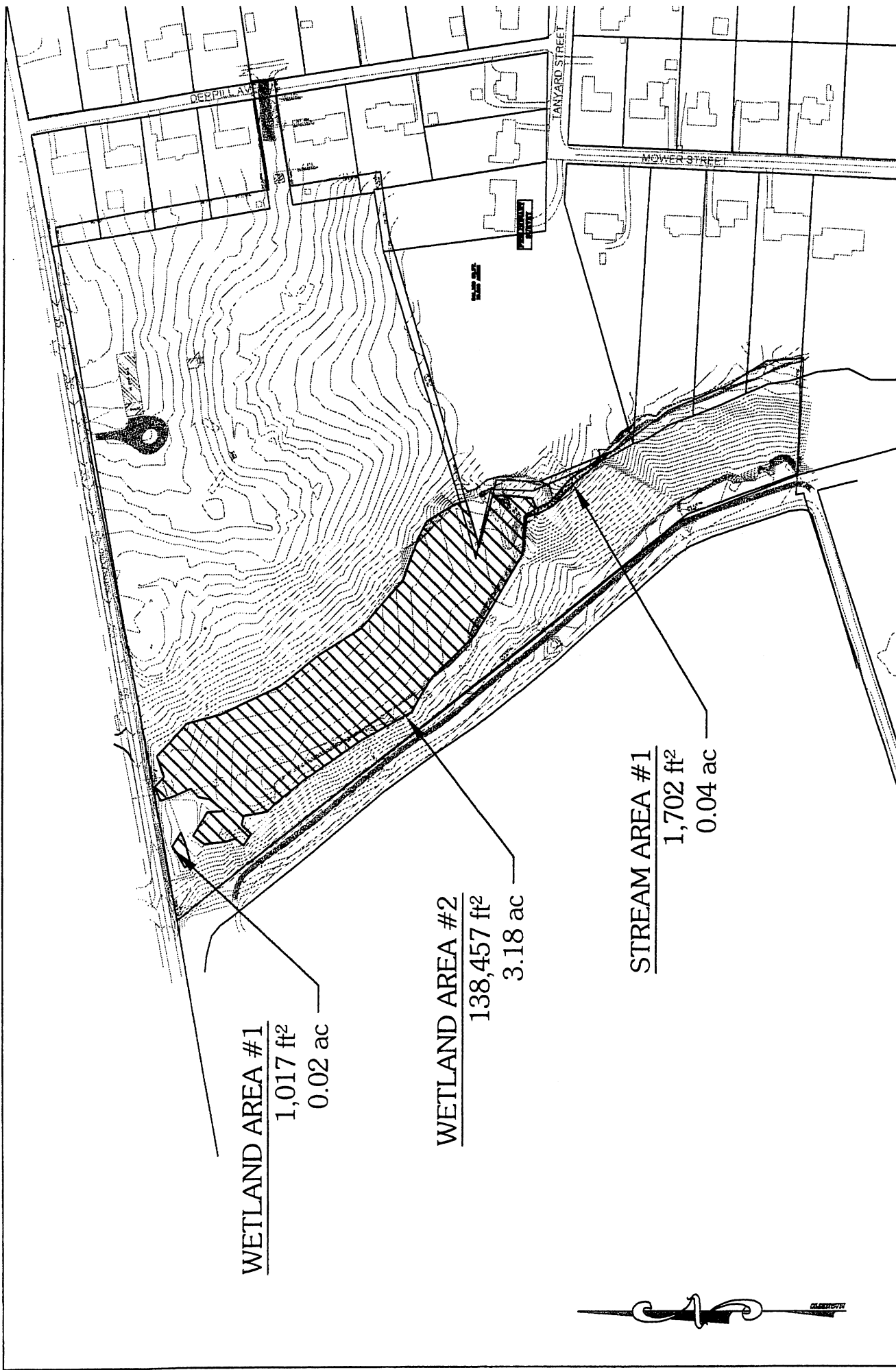
REVISIONS		
NO.	DRAWN BY:	COMMENTS

**ENVIRONMENTAL  
PERMITTING  
CONSULTANTS, INC.**

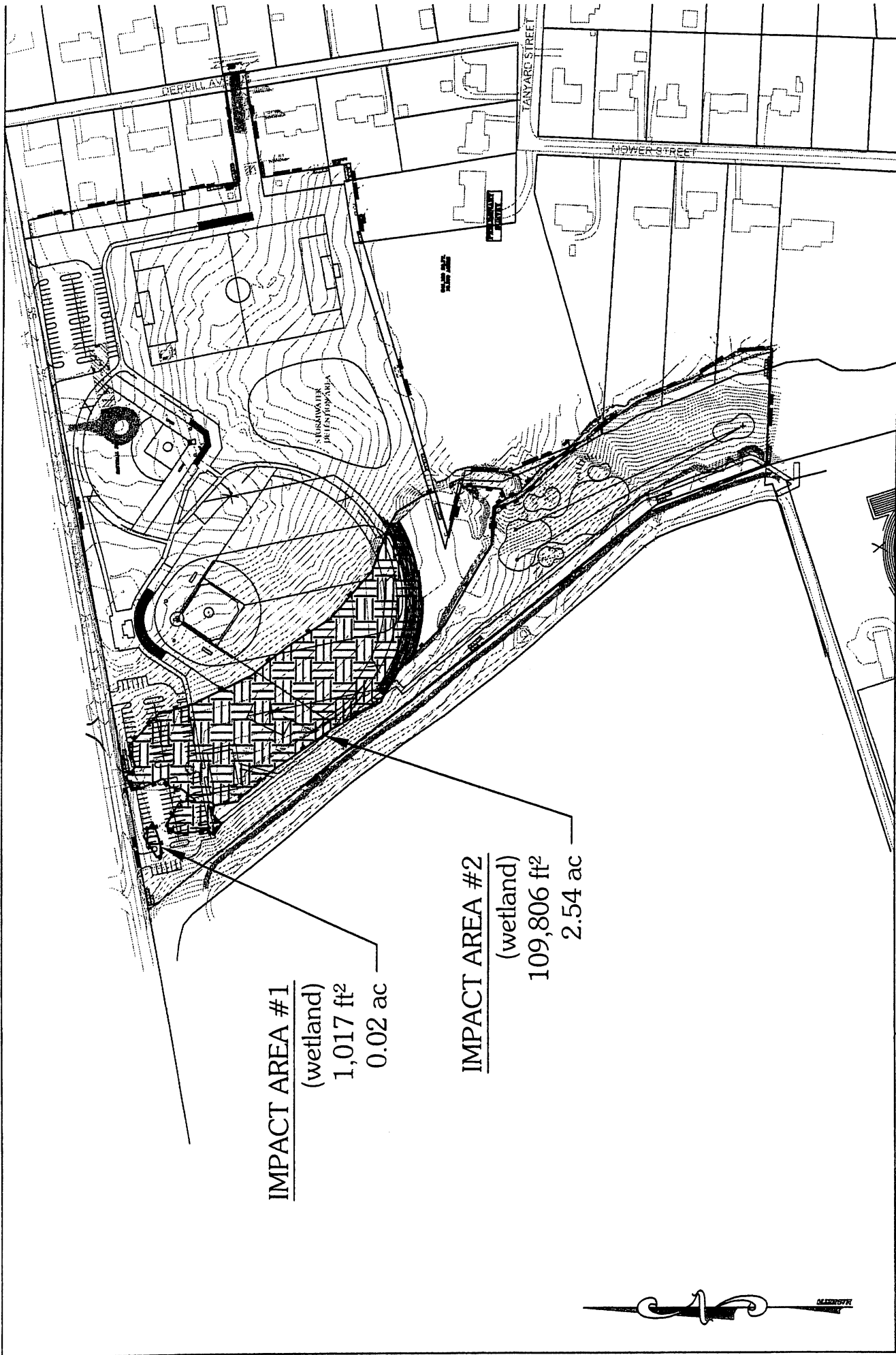
GRAPHIC SCALE	
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1 inch = 2000 feet	
Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9299	DRAWN BY: csg DATE: 22sep2004 EPC PROJECT NO.: 04pcn089

**TOPOGRAPHIC MAP**  
Newberry College Sports Complex  
Newberry College  
Newberry County, SC  
USACE P/N:

SHEET NO.  
**1**  
OF 5



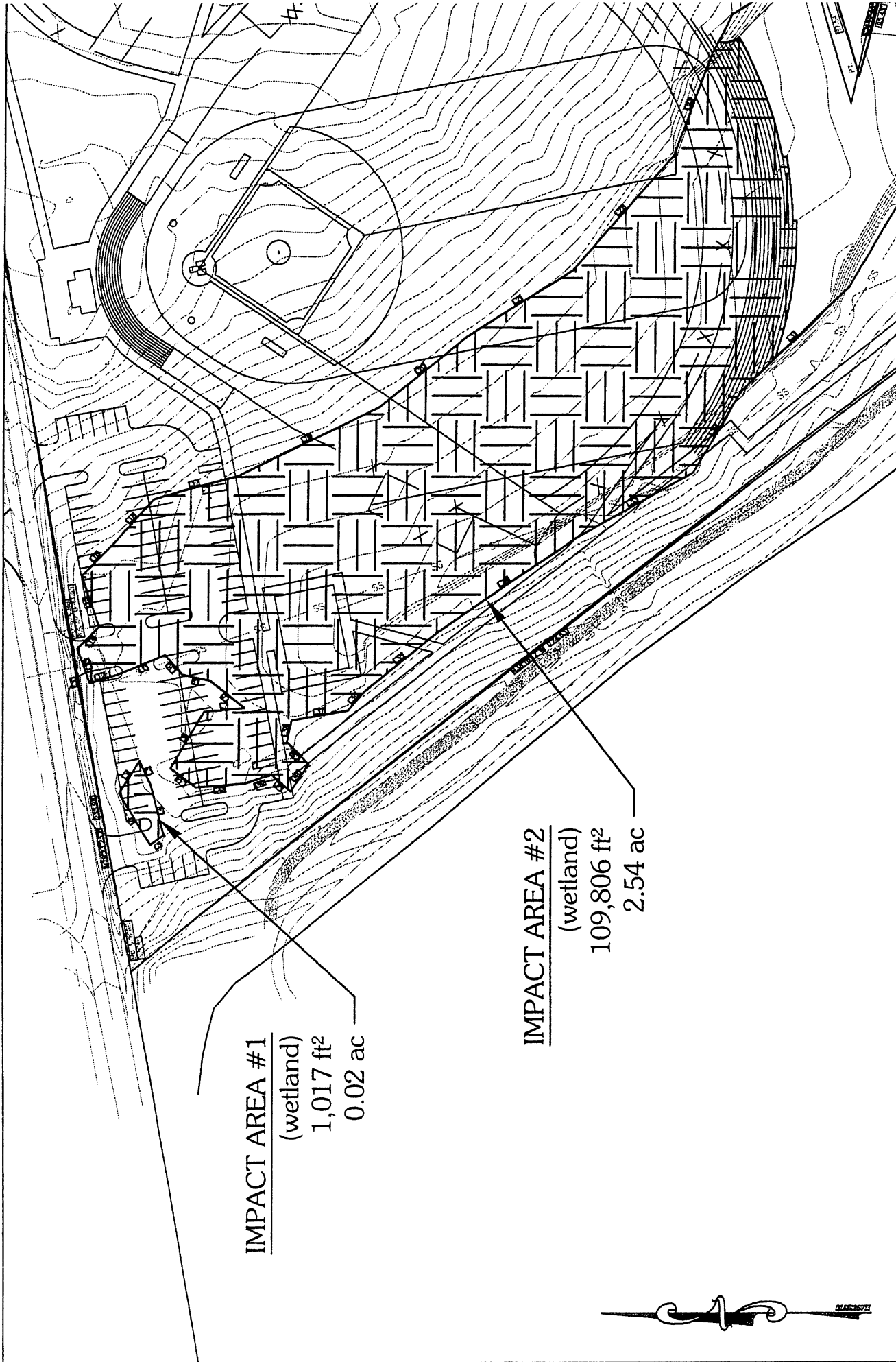
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<div style="text-align: center;"> <b>GRAPHIC SCALE</b>  </div> <div style="font-size: 0.8em;">             Post Office Box 3744              Greenville, SC 29608              Phone: (864) 271-3040              Fax: (864) 235-9299           </div>		<b>REVISIONS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 15%;">DRAWN BY</th> <th style="width: 15%;">DATE</th> <th style="width: 65%;">COMMENTS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DRAWN BY	DATE	COMMENTS																					USACE P/N:
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**IMPACT AREA #1**  
(wetland)  
1,017 ft²  
0.02 ac

**IMPACT AREA #2**  
(wetland)  
109,806 ft²  
2.54 ac

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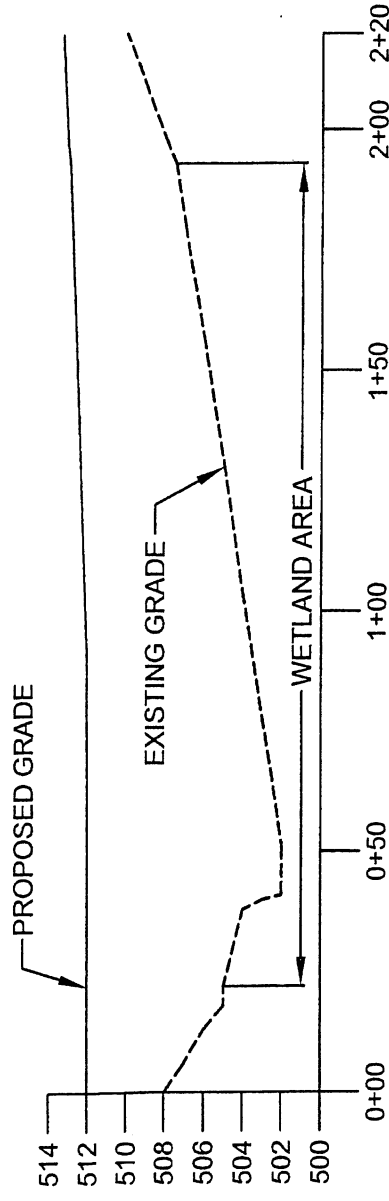
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Phone: (864) 271-3040  
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DRAWN BY: CSB  
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EPC PROJECT NO.: 04per089

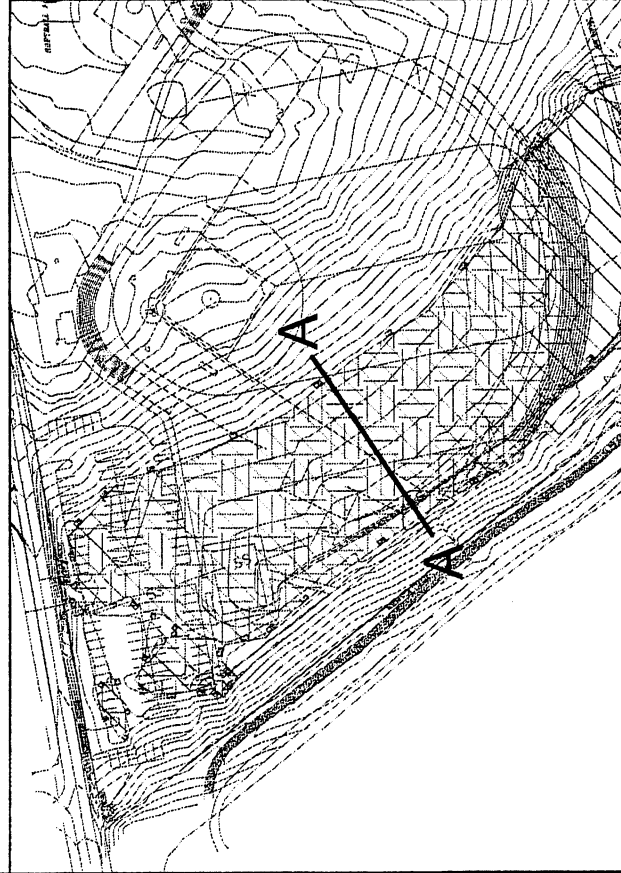
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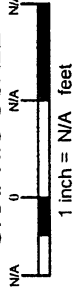
**CROSS SECTION A**

VERTICAL SCALE: 1"=10'

HORIZONTAL SCALE: 1"=40'



GRAPHIC SCALE



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**REVISIONS**

NO.	DATE	REVISION

**IMPACT AREA - CROSS SECTION**

Newberry College Sports Complex  
Newberry College  
Newberry County, SC

USACE P/N:..

SHEET NO.

**5**

OF 5

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PERMITTING  
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